



## Certified Action of the City of Raleigh Planning Commission

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 516-2626  
www.raleighnc.gov

**Case File / Name:** SP- 43-09 / Lot 5 Cheviot Assemblage

**Owner:** MLC Automotive, LLC  
**Designer:** William G. Daniels & Associates

**General Location:** This site is located on the northwest quadrant of Gresham Lake Road, Capital Boulevard (US Hwy#1) and Durant Road inside the City Limits.

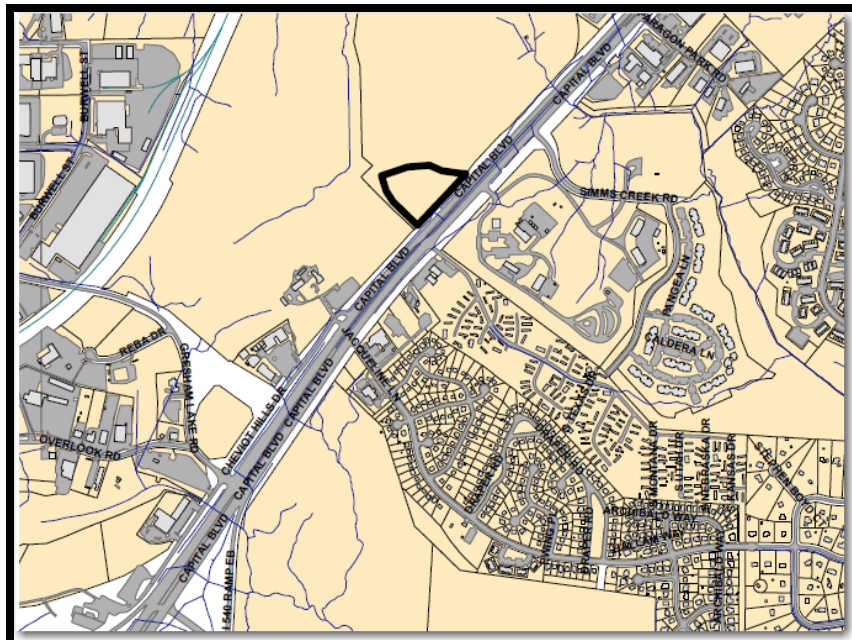
**Planning District / CAC:** Northeast / Northeast

**Nature of Case:** This request is to approve a 28,372 square foot two story auto dealership on a 4.97 acre site, zoned Industrial-1. The building will consist of 9,364 square feet sales component 1<sup>st</sup> floor with 39 parking spaces and approximately 15,817 square feet of service area (18 service bays) and storage 1<sup>st</sup> floor with 54 parking spaces and 3,191 square feet of storage 2<sup>nd</sup> floor. 247 parking spaces are provided for vehicle display/show room and inventory storage for a total of 340 parking spaces for the entire site. This site is located within 400 feet of a residential use or zone.

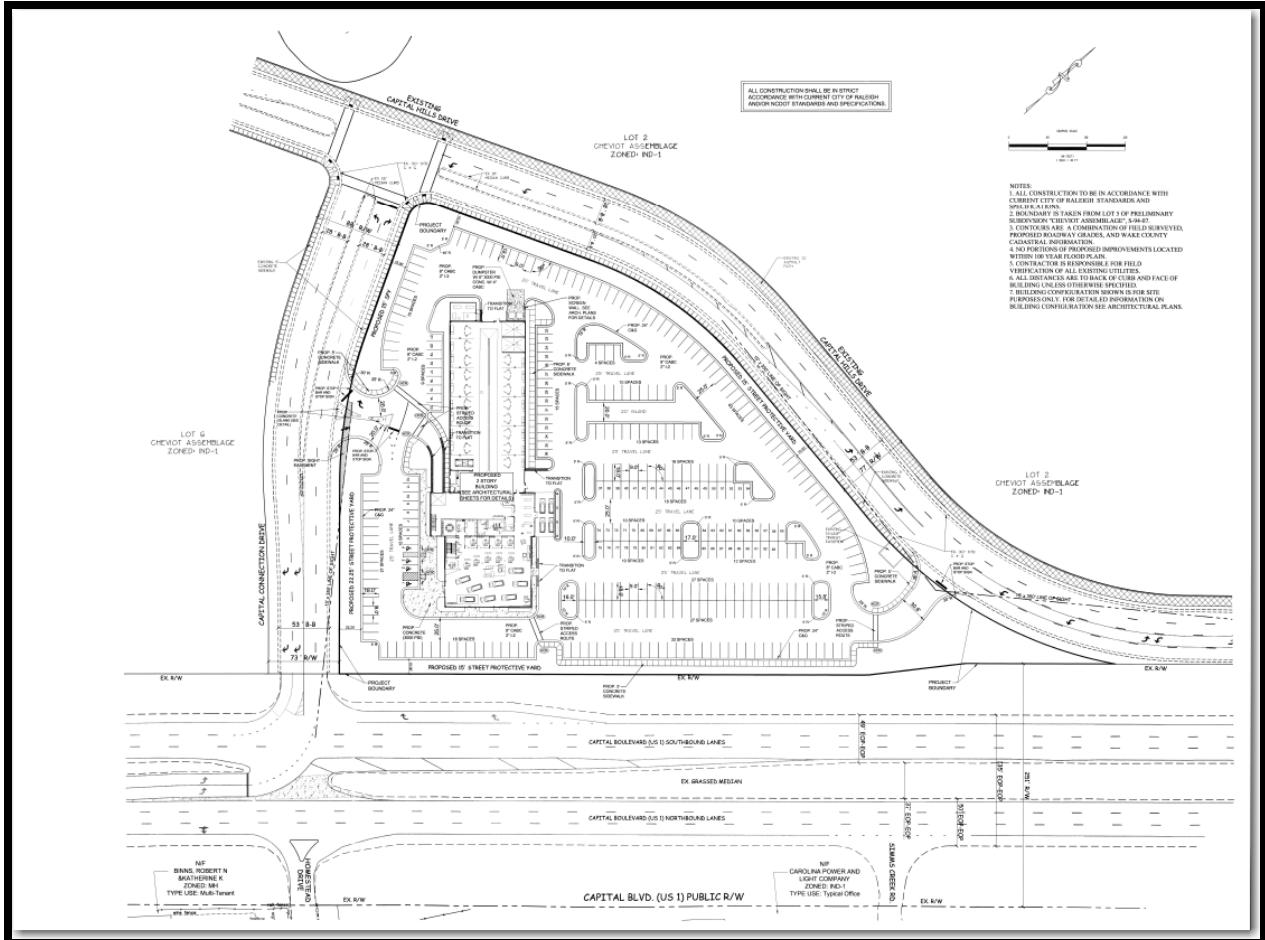
The creation of Lot 5 was approved by staff under S-94-07 Cheviot Assemblage on February 11, 2009. The subdivision plat has not yet been recorded.

**Key Issues:** As presented staff finds that this plan conforms to Code standards and adopted land use policies.

**Contact:** William G. Daniel & Associates



SP- 43- 09 Lot 5 Cheviot Assemblage



SP- 43- 09 Lot 5 Cheviot Assemblage – site map



date: 9/23/09 \_\_\_\_\_

date: 9/23/09 \_\_\_\_\_



## Staff Report

---

**RECOMMENDED ACTION:** Approval with Conditions

---

**CONDITIONS OF APPROVAL:**

**Administrative Actions:**

***Prior to issuance of building permits in the Inspections Department:***

- (1) That all conditions of S-94-07 are met and lot 5 has been recorded;
  - (2) That documentation be submitted to the Stormwater Engineer in the Public Works Department that shows the maximum impervious surface coverage approved for this lot has not been exceeded;
  - (3) That as the developer has chosen to offset a portion of nitrogen export load limitation by paying monies to the North Carolina Ecosystem Enhancement Program (NCEEP) in accordance with Nitrogen reduction requirements of Section 10-9022, this payment shall be made to NCEEP and verification of the amount of payment shall be provided to the City of Raleigh Stormwater Engineer;
- 

**ZONING:**

**ZONING DISTRICTS:** Industrial-1.

**SETBACKS / HEIGHT:**

This plan conforms to all minimum setback standards.  
Front yard = 50', rear yard = 50' (adjoins r/w), front / rear aggregate = 100' (adjoins r/w), side yard = 50' (corner), side yard aggregate = 50' (corner). The building is proposed to be approximately 28' (two stories) in height.

**PARKING:** Off-street parking conforms to minimum requirements: 39 spaces required, based on 1 parking space per 200 square feet of sales component; an additional 54 spaces are required based on 3 spaces per service bay. There are 18 bays. 340 spaces are provided.

**LANDSCAPING:** Street yard landscaping in conformity with Section 10-2082.5 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.06 is shown. This is a high impact use under Section 10-2082.9. Transitional protective yards are not required as the lot is encompassed by public streets.

**TREE CONSERVATION:** A total of 10% or 19.67-acres has been recorded as approved under S-94-07; BM 2009 PG 456-471.

**DEVELOPMENT INTENSITY:** N/A

**PHASING:** There are 4 phases in this development for road construction only. The phasing plan for infrastructure has been approved. All lots and right of way have been approved under S-94-07 Cheviot Assemblage Subdivision.

**UNITY OF DEVELOPMENT:** Unity of development and sign criteria are not required in this development.

**COMPREHENSIVE PLAN:**

**GREENWAY:** Greenway has been shown on lots 1 and 2 with the approval S-94-07 Cheviot Assemblage Subdivision. The greenway will be dedicated with the recording of each lot. A 10' greenway multi-purpose sidewalk will be installed along the north side of Capital Hills Drive in phase 1. This sidewalk will be constructed by the owner of the entire subdivision (Cross Road and Leith) with the issuances of the first building permit on any lot approved in this development.

**THOROUGHFARE / COLLECTOR PLAN:** The required right of way has been approved and will be recorded in accordance of the conditions as written in S-94-07 Cheviot Assemblage Subdivision

**TRANSIT:** Three 15x20 transit easements were required under and will be recorded in accordance of the conditions as written in S-94-07 Cheviot Assemblage Subdivision.

**URBAN FORM:** This site is located in the North Planning District, with land use recommendations in the Northeast Regional Center Plan northwest quadrant. Industrial and distribution uses are encouraged. The proposed use is in accordance with this designation.

**APPEARANCE COMMISSION:** The Appearance Commission has made the following comments on this preliminary plan. Shown below are comments and applicant responses:

<b>Comment</b>	<b>Response</b>
<p>1. The committee recommends that, mindful of both present and potential site uses and points of roadway access, pedestrian connectivity be increased to and across the site, to provide:</p> <ul style="list-style-type: none"> <li>• A direct, continuous sidewalk from the driveway on Capital Hills Drive, across the property's Capitol Boulevard frontage, to Capital Connection Drive.</li> <li>• Direct access, via sidewalk, striped crosswalk(s) and median, across Capital Connections Drive to Lot 6.</li> <li>• Direct access via striped crosswalk across Capital Hills</li> </ul>	<p>The developer chooses not to add additional sidewalk along Capital Blvd for the following reasons:</p> <ul style="list-style-type: none"> <li>• The use of this site plan is a very low generator of/destination for pedestrian traffic. At such time that the parcel might redevelop with a use that would be more dependent upon pedestrian traffic, a site plan for the change in use would be required by the City and the need/appropriateness</li> </ul>

Drive. If roadway design precludes providing a crosswalk at that point, the committee suggests that the 15'x20' transit easement be moved to a less isolated location (i.e., closer to proposed or anticipated buildings).

for additional walks could be more effectively handled at that time.

- A striped pedestrian crossing with pedestrian refuge via dividing median is currently provided across Capital Connection Drive at the intersection of Capital Hills Drive and Capital Connection Drive which will probably be a signalized intersection in the future. The configuration of the currently proposed crosswalk is conducive to a safe and functional pedestrian crossing. A striped crosswalk in the vicinity of the intersection of Capital Connection Drive and Capital Blvd would have no median point of refuge and would probably be much less safe in function than the currently proposed crossing. Additionally, the currently proposed crossing is at a location that provides convenient access/circulation between not only Lots 5 & 6 (across Capital Connection Drive), but also a short and convenient connection between the sidewalk system on the east side of Capital Hills Drive with the greenway system/multipurpose trail on the west side of the road. The developer chooses not to add an additional crosswalk and sidewalks along Capital Blvd.
- The developer is agreeable to adding a striped crosswalk in this location if

the City DOT concurs that such a crosswalk will not pose a safety problem for pedestrians or an impediment to the traffic carrying function of Capital Hills Drive.

2. Install a means of dimming pole-mounted lights after regular business hours, to reduce reflective uplight and glare.

2. The plan meets all City standards as to light levels. The developer chooses not to revise the plans.

**SUBDIVISION  
STANDARDS:**

**BLOCK LAYOUT:** The existing street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area. The maximum block length in this development meets the 1500-foot standard as noted in the Streets, Sidewalks and Driveway Access Handbook. No dead end street in this development exceeds 800 feet in length.

**PUBLIC UTILITIES:** City water and sewer services are available. The developer is responsible for installation of all lines necessary to provide service to this site.

**SOLID WASTE:** Refuse disposal will be by private contractor. Location and design of collection facilities shall meet the standards in the Solid Waste Design Manual.

**CIRCULATION:** Proposed street improvements shall conform to normal City construction standards. All street improvements have been approved under S-94-07.

**PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A sidewalk is required along both sides of Capital Hills Drive and Capital Connection Drive as approved under S-94-07.

**FLOOD HAZARD:** There are no flood hazard areas on lot 5.

**STORMWATER  
MANAGEMENT:** This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. Proposed stormwater control measures have been approved and recorded under S-94-07.

This project has chosen to offset a portion of nitrogen load limitations by paying monies to the North Carolina Department of Environment and Natural Resources fund. [10-9022(c)].

**WETLANDS  
/ RIPARIAN  
BUFFERS:** No wetland areas or Neuse River riparian buffers are required on this lot.



**OTHER  
REGULATIONS:**

Developer shall meet all City requirements, including underground utility service (§10-3059), flood protection measures (Part 10, Chapter 4), and the soil erosion ordinance (Part 10, Chapter 5), unless specifically varied by this approval.